



Sen. Rachel Ventura

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10300SB2128sam001

LRB103 28332 RLC 58319 a

1 AMENDMENT TO SENATE BILL 2128

2 AMENDMENT NO. _____. Amend Senate Bill 2128 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by
5 changing Section 3-5-1 as follows:

6 (730 ILCS 5/3-5-1) (from Ch. 38, par. 1003-5-1)
7 Sec. 3-5-1. Master Record File.

8 (a) The Department of Corrections and the Department of
9 Juvenile Justice shall maintain a master record file on each
10 person committed to it, which shall contain the following
11 information:

12 (1) all information from the committing court;

13 (1.5) ethnic and racial background data collected in
14 accordance with Section 4.5 of the Criminal Identification
15 Act;

16 (2) reception summary;

1 (3) evaluation and assignment reports and
2 recommendations;

3 (4) reports as to program assignment and progress;

4 (5) reports of disciplinary infractions and
5 disposition, including tickets and Administrative Review
6 Board action;

7 (6) any parole or aftercare release plan;

8 (7) any parole or aftercare release reports;

9 (8) the date and circumstances of final discharge;

10 (9) criminal history;

11 (10) current and past gang affiliations and ranks;

12 (11) information regarding associations and family
13 relationships;

14 (12) any grievances filed and responses to those
15 grievances; ~~and~~

16 (13) other information that the respective Department
17 determines is relevant to the secure confinement and
18 rehabilitation of the committed person;

19 (14) the last known address provided by the person
20 committed; and

21 (15) all medical and dental records.

22 (b) All files shall be confidential and access shall be
23 limited to authorized personnel of the respective Department
24 or by disclosure in accordance with a court order or subpoena.
25 Personnel of other correctional, welfare or law enforcement
26 agencies may have access to files under rules and regulations

1 of the respective Department. The respective Department shall
2 keep a record of all outside personnel who have access to
3 files, the files reviewed, any file material copied, and the
4 purpose of access. If the respective Department or the
5 Prisoner Review Board makes a determination under this Code
6 which affects the length of the period of confinement or
7 commitment, the committed person and his counsel shall be
8 advised of factual information relied upon by the respective
9 Department or Board to make the determination, provided that
10 the Department or Board shall not be required to advise a
11 person committed to the Department of Juvenile Justice any
12 such information which in the opinion of the Department of
13 Juvenile Justice or Board would be detrimental to his
14 treatment or rehabilitation.

15 (c) The master file shall be maintained at a place
16 convenient to its use by personnel of the respective
17 Department in charge of the person. When custody of a person is
18 transferred from the Department to another department or
19 agency, a summary of the file shall be forwarded to the
20 receiving agency with such other information required by law
21 or requested by the agency under rules and regulations of the
22 respective Department.

23 (d) The master file of a person no longer in the custody of
24 the respective Department shall be placed on inactive status
25 and its use shall be restricted subject to rules and
26 regulations of the Department.

1 (e) All public agencies may make available to the
2 respective Department on request any factual data not
3 otherwise privileged as a matter of law in their possession in
4 respect to individuals committed to the respective Department.

5 (f) A committed person may request a summary of the
6 committed person's master record file once per year and the
7 committed person's attorney may request one summary of the
8 committed person's master record file once per year. The
9 Department shall create a form for requesting this summary,
10 and shall make that form available to committed persons and to
11 the public on its website. Upon receipt of the request form,
12 the Department shall provide the summary within 15 days. The
13 summary must contain, unless otherwise prohibited by law:

14 (1) the person's name, ethnic, racial, and other
15 identifying information;

16 (2) all digitally available information from the
17 committing court;

18 (3) all information in the Offender 360 system on the
19 person's criminal history;

20 (4) the person's complete assignment history in the
21 Department of Corrections;

22 (5) the person's disciplinary card;

23 (6) additional records about up to 3 specific
24 disciplinary incidents as identified by the requester;

25 (7) any available records about up to 5 specific
26 grievances filed by the person, as identified by the

1 requester; and

2 (8) the records of all grievances filed on or after
3 January 1, 2023.

4 Notwithstanding any provision of this subsection (f) to
5 the contrary, a committed person's master record file is not
6 subject to disclosure and copying under the Freedom of
7 Information Act.

8 (g) On July 1, 2024, the Department of Corrections shall
9 digitalize all newly committed persons' master record files
10 who become incarcerated and all other new information that the
11 Department maintains concerning its correctional institutions,
12 facilities, and individuals incarcerated.

13 (h) On or before July 1, 2026, the Department of
14 Corrections shall digitalize all medical and dental records in
15 the master record files and all other information that the
16 Department maintains concerning its correctional institutions
17 and facilities in relation to medical records, dental records,
18 and medical and dental needs of committed persons.

19 (i) On or before July 1, 2028, the Department of
20 Corrections shall digitalize all information in the master
21 record files and all other information that the Department
22 maintains concerning its correctional institutions and
23 facilities.

24 (j) The Department of Corrections shall adopt rules to
25 implement subsections (g), (h), and (i).

26 (Source: P.A. 102-776, eff. 1-1-23; 102-784, eff. 5-13-22;

1 revised 12-14-22.)".